

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ANIMAL SCIENCE PRODUCTS, INC., et al.

Plaintiffs,

v.

CHINA NATIONAL METALS & MINERALS
IMPORT & EXPORT CORPORATION, et al.,

Defendants.

Civil Action No. 05-4376 (GEB) (ES)

(Document filed electronically)

DECLARATION OF TIMOTHY J. HELWICK

I, Timothy J. Helwick, hereby state as follows:

1. I am an attorney with the law firm Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, New York 10036. I submit this Declaration in support of the Memorandum of Defendants Sinosteel Corporation, Sinosteel Trading Company and Liaoning Jiayi Metals & Minerals Co., Ltd. in Support of Their Motion to Dismiss the First Amended Complaint for Lack of Subject Matter Jurisdiction and/or on Grounds of Abstention. The statements herein are based on my personal knowledge and belief.
2. At my request, a legal assistant at our law firm made a manual comparison of the original Complaint with the First Amended Complaint filed in this action. Copies of the First Amended Complaint and the original Complaint, with deletions highlighted in orange and additions in yellow, are attached hereto as Exhibits A and B, respectively.
3. Also at my request, an attorney in our law firm prepared a chart in which he calculated the prices of caustic-calcinated magnesia and dead burned and fused magnesia based on

data reported in "Government Surveys" published by the United States Geological Survey. A copy of that chart is attached hereto as Exhibit C.

4. Attached as Exhibit D is a true and correct copy of excerpts from the textbook *Economics: Private & Public Choice* (10th Ed. 2003) by J. Gwartney *et al.*
5. Attached as Exhibit E is a true and correct copy of an article titled "McDonald's Sales Rise 5.1%, Led by Demand Outside the U.S.," reported in *The Wall Street Journal* on June 8, 2009.
6. Attached as Exhibit F is a true and accurate copy of the article titled "U.S., Europe File Trade Complaint Against China," reported in *The Wall Street Journal* on June 24, 2009.

I declare under penalty of perjury that the foregoing is true and correct.

Date: June 26, 2009
New York, New York



Timothy J. Helwick

Timothy J. Helwick